

LAHIVE

&

COCKFIELD

L L P

COUNSELLORS AT LAW
 28 STATE STREET
 BOSTON, MASSACHUSETTS 02109-1784
 TELEPHONE (617) 227-7400
 FAX (617) 742-4214
 lc@lahcoc.com

JOHN A. LAHIVE, JR. (1928-1997)
 THOMAS V. SMURZYNSKI
 RALPH A. LOREN
 GIULIO A. DeCONTI, JR.
 ANN LAMPORT HAMMITTE
 ELIZABETH A. HANLEY*
 AMY BAKER MANDRAGOURAS
 ANTHONY A. LAURENTANO
 KEVIN J. CANNING
 JANE E. REMILLARD
 DAVID A. LANE, JR.
 JEANNE M. DIGIORGIO
 DEBRA J. MILASINCIC, Ph.D.
 NICHOLAS P. TRIANO, III
 TIMOTHY J. DOUROS
 WILLIAM D. DeVAUL
 CATHERINE J. KARA, Ph.D.

CHI SU [REDACTED]
 DAVID J. RIKKERS
 DAVID R. BURNS
 SENIOR COUNSEL
 W. HUGO LIEPMANN
 JAMES E. COCKFIELD
 OF COUNSEL
 JEREMIAH LYNCH
 WILLIAM A. SCOFIELD, JR.
 PETER C. LAURO *
 DeANN FORAN SMITH**

* Admitted in NY only
 ** Admitted in MI only

PATENT AGENTS
 MEGAN E. WILLIAMS, Ph.D.

TECHNICAL SPECIALISTS
 MARIA LACCOTRIPE ZACHARAKIS, Ph.D.
 CYNTHIA M. SOROS
 PETER W. DINI, Ph.D.
 JENNIFER L. ELLIOTT, Ph.D.
 LAUREN C. FOSTER, D.Sc.
 EUHOON LEE
 ERICK B. BERGLUND, Ph.D.
 LISA M. DIROCCO
 JENNIFER K. ROSENFIELD

May 18, 2000

BOX PCT
 Assistant Commissioner for Patents
 Washington, D.C. 20231

Re: U.S. Patent Application Serial Number 09/486,970
 Corresponding to PCT/US98/18432
 Title: *The Use of Agents Which Bind G Proteins for Treating Septic Shock*
 Applicant: Robert W. Finberg *et al.*
 Filed: March 2, 2000
 Our Reference: DFN-025US

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response To Notification Of Missing Requirements Under 35 U.S.C. 371 In The United States Designated/Elected Office;
2. Executed Declaration, Oath and Power of Attorney;
3. Copy of Form PCT/DO/EO/917;
4. A check in the amount of \$130.00 (surcharge fee); and
5. Return Receipt Postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A duplicate of this sheet is enclosed.

06/01/2000 UNALTERED 00000004 09486970

01 FC:154

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: BOX PCT, Commissioner of Patents and Trademarks Office, Washington, DC 20231 on: May 18, 2000

Date May 18, 2000
DeAnn F. Smith
 DeAnn F. Smith, Reg. No. 36,683

LAHIVE & COCKFIELD, LLP
 Attorneys at Law

By DeAnn F. Smith
 DeAnn F. Smith
 Reg. No. 36,683
 28 State Street
 Boston, MA 02109
 617-227-7400

(Atty. Docket No.: DFN-025US)

IN THE UNITED STATES PATENT DESIGNATED OFFICE (DO/US)

In re the
application of: **Robert W. Finberg et al.**

International Application No.: **PCT/US98/18432**

International Filing Date: **04 September 1998**

U.S. Serial No.: **09/486,970**

Filed: **March 2, 2000**

For: **THE USE OF AGENTS WHICH BIND G PROTEINS FOR TREATING SEPTIC SHOCK**

Attorney Docket No.: **DFN-025US**

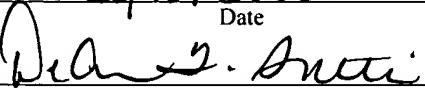
BOX PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER
35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

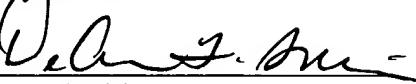
Dear Sir:

Responsive to the *Notification of Missing Requirements Under 35 U.S.C. 371* dated April 18, 2000, Applicants' attorney submits herewith the executed Declaration, Petition and Power of Attorney for Patent Application for the above-identified patent application. A check in the amount of \$130.00, based on large entity status, is enclosed to cover the surcharge under 37 CFR 1.492(e). A copy of Form PCT/DO/EO/905 is also enclosed.

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. A duplicate of this letter is enclosed.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: BOX PCT, Commissioner of Patents and Trademarks Office, Washington, DC 20231 on:
<u>May 18, 2000</u>
Date

DeAnn F. Smith, Reg. No. 36,683

LAHIVE & COCKFIELD, LLP
Attorneys at Law

By 
DeAnn F. Smith
Reg. No. 36,683
28 State Street
Boston, MA 02109
617-227-7400



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

U.S. APPLICATION NO.		FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/486970		FINBERG R	DFN-025US
AMY E MADRAGOURAS LAHIVE & COCKFIELD 28 STATE STREET BOSTON, MA 02109		INTERNATIONAL APPLICATION NO.	
DOCKETED May 18, 2000 - Miss. Reg. & Oath/Declar. Oct. 18, 2000 - E.S.P.		PCT/US98/18432	
		I.A. FILING DATE	PRIORITY DATE
		04 SEP 98	05 SEP 97
		DATE MAILED:	18 APR 2000

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

a Designated Office (37 CFR 1.494),
 an Elected Office (37 CFR 1.495):

 U.S. Basic National Fee.
 Copy of the international application in:
 a non-English language.
 English.

 Translation of the international application into English.
 Oath or Declaration of inventors(s) for DO/EO/US.
 Copy of Article 19 amendments.

 Translation of Article 19 amendments into English.
 The International Preliminary Examination Report in English and its Annexes, if any.
 Translation of Annexes to the International Preliminary Examination Report into English.
 Preliminary amendment(s) filed _____ and _____.
 Information Disclosure Statement(s) filed _____ and _____.
 Assignment document.
 Power of Attorney and/or Change of Address.
 Substitute specification filed _____.
 Verified Statement Claiming Small Entity Status.
 Priority Document.
 Copy of the International Search Report and copies of the references cited therein.
 Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

 b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

 c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
 The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

 d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a large entity small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY 21 OR 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Fee will be required if submitted later than 30 months from the priority date.

